

2/7/01**SUBJ: AIRCRAFT REPAIR AND MAINTENANCE ADVISORY COMMITTEE**

1. PURPOSE. This order establishes and constitutes the charter for the Aircraft Repair and Maintenance Advisory Committee as required under the provisions of the Federal Advisory Committee Act (FACA) (Public Law 92-463, Title 5 of the United States Code (U.S.C.), Appendix 2).

2. DISTRIBUTION. This order is distributed to the director level in Washington headquarters and regions with a branch level distribution in the Flight Standards Service and regional Flight Standards Divisions.

3. BACKGROUND. Public Law 106-181, Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, amends Title 49 of the U.S.C., to reauthorize programs of the Federal Aviation Administration (FAA). As part of the reauthorization act, Congress charged the FAA with establishing an advisory panel to review issues related to the use and oversight of aircraft and aviation component repair and maintenance facilities located within and outside the United States. In addition, Congress mandated that the Secretary of Transportation promulgate regulations requiring air carriers, foreign air carriers, domestic repair facilities, and foreign repair facilities to submit information that will assist the Department of Transportation in assessing balance of trade and safety issues with respect to work performed on aircraft used by air carriers, foreign air carriers, United States corporate operators, and foreign corporate operators. The data collected will include information on the existence and administration of employee drug and alcohol testing programs in place at foreign repair facilities and on the amount and type of work performed on aircraft registered in and outside of the United States.

4. OBJECTIVES AND SCOPE.

a. The committee is to provide advice and recommendations to the Secretary of Transportation with respect to:

(1) The amount and type of aircraft and aviation component repair work that is being performed by air carriers and aircraft repair facilities located within and outside the United States.

(2) Staffing needs.

(3) Any balance of trade or safety issues associated with that work.

b. The committee will afford the FAA opportunities to obtain direct, firsthand information and insight from the substantially affected interests with respect to improving the oversight of aircraft repair facilities. Only tasks assigned by the FAA will be undertaken. Neither the committee nor any of its subgroups may assign a task without prior approval by the FAA.

c. The committee acts solely in an advisory capacity in accomplishing its duties.

5. ORGANIZATION AND ADMINISTRATION.

a. As directed by Congress, the committee shall consist of 12 members.

(1) The Administrator appoints nine members. The members are:

(a) Three representatives of labor organizations representing aviation mechanics.

(b) One representative of cargo air carriers.

(c) One representative of passenger air carriers.

(d) One representative of aircraft repair facilities.

(e) One representative of aircraft manufacturers.

(f) One representative of on-demand passenger air carriers and corporate aircraft operations.

(g) One representative of regional passenger carriers.

(2) One representative from the Department of Commerce, designated by the Secretary of Commerce.

(3) One representative from the Department of State, designated by the Secretary of State.

(4) One representative from the Federal Aviation Administration, designated by the Administrator.

b. The Director, Flight Standards Service (AFS), is the sponsor of the committee. The director shall receive all committee recommendations or reports. The director shall appoint a full-time employee of AFS to serve as executive director, the designated Federal official, of the committee. The committee may not meet in the absence of the designated Federal official. In case of his/her absence, the executive director may designate an FAA employee to serve as executive director. The executive director shall adjourn any advisory committee meeting whenever he or she determines adjournment to be in the public interest. The executive director shall:

- (1) Provide administrative support for the committee and a secretariat.
 - (2) Formulate and approve an agenda for each meeting.
 - (3) Distribute information to each member and alternate member at least 30 days prior to each scheduled meeting. The information shall include:
 - (a) Notification of the time and location of the scheduled meeting.
 - (b) Agenda for the meeting.
 - (c) Copies of each new area of concern received to date.
 - (4) Provide for the taking of minutes at each meeting and ensure that the chairperson, if other than the designated Federal officer, certifies the accuracy of the minutes.
- c.** A chairperson shall be selected to conduct the meetings. Meetings shall not be conducted in the absence of the chairperson; however, in case of an emergency, the chairperson may designate a committee member to serve as chairperson. The chairperson should be promptly notified of any changes in representation. The chairperson:
- (1) Determines, in coordination with the executive director of the committee, when a meeting is required and where it will be held.
 - (2) Conducts the meeting, including determination of priority and time allowed for discussion of areas of concern and other committee business.
- d.** Meetings shall be held as needed, approximately one each quarter.
- e.** Detailed minutes of each meeting shall be kept. The minutes shall include: the time and place of the meeting; a list of committee members, staff and agency employees, and other persons present at the time of the meeting; a complete and accurate description of matters discussed and conclusions reached; copies of all reports received, issued, or approved by the committee, a description of public participation, including a list of the members of the public who presented oral or written statements, and a description of the public statements. The chairperson must certify the accuracy of the minutes.
- f.** The committee meetings will be open to the public, and timely notice of such meetings shall be published in the Federal Register at least 15 days before the meeting. The proposed agenda, as well as the time and place of the meeting and information that the meeting will be open to the public, should be included in the notice. Other forms of notice, such as press releases, are to be used to the extent practicable.
- g.** Representatives of the non-Government member organizations serve without Government compensation and bear all costs related to their participation on the committee.

6. ESTIMATED COST. The estimated annual operating cost (including pro rata share of salaries of DOT employees) is \$25,000.

7. PUBLIC PARTICIPATION. Each committee meeting shall be open to the public and interested persons shall be permitted to attend and appear before the committee, subject to reasonable limitations of space and time. Interested persons may file written statements with the committee at any time. Pursuant to Federal Advisory Committee Act section 10d, a meeting or portion thereof may be closed whenever the Secretary determines that the portion may be closed to the public in accordance with 5 U.S.C. section 552b(c). Any such determination shall be in writing and contain the reasons for the determination. If such a determination is made, the advisory committee shall issue a report at least annually setting forth a summary of its activities and such related matters as would be information to the public consistent with the policy of 5 U.S.C. section 552b.

8. AVAILABILITY OF RECORDS. Subject to 5 U.S.C. section 552, the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agendas, and other documents that are made available to, or prepared for or by, the committee shall be available for public inspection and copying at FAA, Flight Standards Service, Attn: AFS-300, 800 Independence Avenue, SW., Washington, D.C. 20591. Fees shall be charged for information furnished to the public in accordance with the fee schedule published in Title 49 of the Code of Federal Regulations, part 7.

9. PUBLIC INTEREST. The formation and use of the Aircraft Repair and Maintenance Advisory Committee are determined to be in the public interest in connection with the performance of duties imposed on FAA by law.

10. EFFECTIVE DATE AND DURATION. This committee is effective February 15, 2001, which is the filing date of this charter. The committee shall remain in existence until December 31, 2001, as directed by Congress.

Jane F. Garvey
Administrator